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Letter dated 6 January 2016 from the Permanent Representative of Uruguay to the United Nations addressed to the Secretary-General

I have the honour to inform you that, during its presidency of the Security Council in January 2016, Uruguay plans to hold an open debate on the topic "Protection of civilians", on 19 January.

In order to help guide the debate, Uruguay has prepared a concept note which is attached hereto (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

Accept, Sir, the renewed assurances of my highest consideration.

(*Signed*) Elbio **Rosselli**
Permanent Representative of Uruguay to the United Nations

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Annex to the letter dated 6 January 2016 from the Permanent Representative of Uruguay to the United Nations addressed to the Secretary-General

[Original: English]

Security Council open debate on the protection of civilians in armed conflict

Concept note

Uruguay presidency — January 2016

Background

1. In his latest report on the protection of civilians in armed conflict issued in June 2015 (S/2015/453), the Secretary-General drew the attention of the Security Council to the deliberate targeting and indiscriminate attacks on civilians that have become a recurrent feature in many conflicts, resulting in increased levels of civilian casualties, displacement and human suffering. The report highlighted the challenges faced by humanitarian organizations to meet basic needs, including access restrictions and direct attacks against humanitarian personnel, supplies and facilities. The Secretary-General noted that prevailing disrespect for international humanitarian law by some States and non-State armed groups, and the pervasive impunity for violations, have become "one of the most critical challenges for the protection of civilians". The Security Council issued a presidential statement in November 2015 (S/PRST/2015/23) on the protection of civilians in armed conflict, making reference to the findings of the Secretary-General's June 2015 report and reiterating the need for systematic monitoring and reporting on the protection of civilians in armed conflict.

2. On 31 October 2015, the Secretary-General and the President of the International Committee of the Red Cross (ICRC) issued an unprecedented joint appeal to condemn the growing lack of respect for international humanitarian law and the decline in the protection of civilians in many conflicts. The Secretary-General and the ICRC President urged States to make every effort, individually and collectively, to achieve political solutions to conflicts, exert their influence to ensure compliance with international humanitarian law, hold perpetrators of violations accountable, grant unhindered access to and protect humanitarian and medical personnel and facilities and respond to the needs of internally displaced persons and refugees. These themes were at the centre of the thirty-second International Conference of the Red Cross and Red Crescent, held in December 2015.

3. The urgent need to address the protection of civilians in conflict is also a central theme of the report of the High-level Independent Panel on Peace Operations (S/2015/446) and the subsequent report of the Secretary-General on the implementation of the Panel's recommendations (S/2015/682). These reports emphasized that the growing scale and intensity of conflict and the associated scale of human rights violations, attacks on civilians and forcible displacement were testing the limits of humanitarian and conflict responses.

4. In his implementation report, the Secretary-General underscored the responsibility of national authorities to protect civilians and sets out several

recommendations to strengthen the contribution that United Nations peace operations can make to protect civilians in conflict. He highlighted the centrality of political settlements to conflict to promote and to ensure the sustainable protection of civilians. The Secretary-General called upon the Security Council to provide active and consistent political and operational support for the protection of civilians in conflict, in particular in contexts in which State parties are involved in attacks against civilians.

5. The Secretary-General underscored that the protection of civilians was a mission-wide task and that mission-wide strategies and coherent monitoring and reporting arrangements would be put in place to reinforce the protection impact of peace operations. He also highlighted the role of unarmed protection actors in enhancing the protection of civilians, including local communities and non-governmental organizations.

6. In those situations in which peace operations have an explicit mandate to protect civilians, the Secretary-General highlighted the need for missions to have the capabilities and command structures to respond effectively and called upon all Member States to provide practical and political support to ensure that peace operations had the capabilities required to implement their mandates. A consistent theme of his report was the importance of sustained dialogue between the Security Council, the Secretariat and troop-contributing and police-contributing countries to enable a shared understanding of appropriate responses and their implications for the mandate, capabilities and conduct of a peace operation, which has significant relevance for protection of civilians efforts.

7. The Council welcomed the commitment of the Secretary-General to keep it informed of situations of escalating risk to civilians, mission capability shortfalls and any failure to implement their mandate, including to protect civilians (S/PRST/2015/22).

8. Furthermore, the Kigali principles on the protection of civilians put forward by several countries in May 2015[a] set out critical benchmarks to guide collective efforts to protect civilians in peace operations.

9. During a workshop organized by Australia and Uruguay in November 2015, there was a common understanding that protection is a whole-of-mission agenda rather than a responsibility of uniformed personnel. Political engagement and support for political settlements also constitute protection activities, and ultimately the best way to ensure that civilians are not threatened by violence is to ensure that conflicts are ended through sustainable and inclusive political processes.

Scope of the open debate

10. Uruguay, which will hold the presidency of the Security Council for the month of January 2016, will convene a Vice-Ministerial-level open debate on the protection of civilians.

11. This open debate will provide an important opportunity for the Security Council to address core and overarching issues for the protection of civilians in

[a] Available at http://civilianprotection.rw/wp-content/uploads/2015/09/REPORT_PoC_conference_Long-version.pdf.

armed conflict.[b] It will underscore the responsibilities of national actors for the protection of civilians and consider questions relating to the conduct of hostilities, humanitarian access, attacks on humanitarian and medical staff and facilities and displacement. It will also address the role of the Council in restoring the centrality of international humanitarian law to international efforts to protect civilians and in energizing compliance and accountability measures.

12. In looking at how United Nations peace operations can support and contribute to the protection of civilians in armed conflict, the open debate will provide an important opportunity to address how the Security Council can continue to strengthen its political engagement in situations of escalating risk to civilians and support negotiated political settlements that advance their protection. It will also provide an opportunity for the Council to examine how its dialogue with troop-contributing and police-contributing countries can systematically address protection needs and capabilities and how it can address serious shortfalls in the capabilities of missions to fulfil their mandates.

Objectives and expected outcomes:

- To reaffirm the Security Council's commitment to uphold the core protection of civilian standards as a matter of priority and send a clear message to parties to conflict that the international community and individual States stand ready to take action in order to ensure full respect for international humanitarian law.
- To discuss major protection of civilian trends and situations of concern requiring the international community's sustained attention and action, including the state of implementation of international humanitarian law across current conflicts.
- To exchange views and lay out concrete action required, based on tools available to the Council and the United Nations, to enhance compliance and accountability and overall protection in current conflict situations, with a view to informing the 2016 World Humanitarian Summit discussion on protection.
- To explore, in the context of United Nations peace operations, what improved reporting to the Security Council on situations of escalating risk to civilians would look like and how this can be effectively provided.

Date/Time: 19 January 2016 at 10 a.m.

Location: Security Council Chamber

Outcome: An informal summary of interventions made by Member States during the open debate will be shared.

[b] The last open debate organized under the official protection of civilians item on the Security Council agenda, in May 2015, was on the protection of journalists. The previous open debates on the protection of civilians, organized in January 2015 under the presidency of Chile, and in August 2014 under the presidency of the United Kingdom of Great Britain and Northern Ireland, focused, respectively, on the protection of women and on humanitarian access and the safety and security of humanitarian workers. The last open debates on the protection of civilians regarding compliance and accountability date back to August 2013 under the presidency of Argentina and to November 2011 under the presidency of Portugal.

Speakers:

- Deputy Secretary-General of the United Nations
- To be confirmed: President of the International Committee of the Red Cross *[As custodian of the Geneva Conventions, state of implementation of international humanitarian law across current conflicts, including main issues and challenges pertaining to this implementation, consequences of violations and recommendations to address them]*.